

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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STEVEN ALFANO, :  
Plaintiff, : 07 Civ. 9661 (GEL)  
- against - :  
CIGNA LIFE INSURANCE COMPANY OF :  
NEW YORK, LONG TERM DISABILITY :  
INSURANCE PLAN FOR CORNELL :  
UNIVERSITY MEDICAL COLLEGE, WEILL :  
MEDICAL COLLEGE OF CORNELL :  
UNIVERSITY RETIREMENT PLAN FOR :  
FACULTY AND EXEMPT EMPLOYEES, :  
CHILDREN'S TUITION SCHOLARSHIP PLAN, :  
CORNELL UNIVERSITY GROUP LIFE :  
INSURANCE PLAN, CORNELL UNIVERSITY :  
MEDICAL COLLEGE HEALTH INSURANCE :  
PLAN, and WEILL MEDICAL COLLEGE OF :  
CORNELL UNIVERSITY DENTAL ASSISTANCE :  
PLAN, :  
Defendants. :  
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**CIGNA LIFE INSURANCE COMPANY OF NEW YORK'S MOTION FOR SUMMARY  
JUDGMENT**

Pursuant to Federal Rule of Civil Procedure 56, defendant CIGNA Life Insurance Company of New York ("CLICNY"), hereby moves this Court for summary judgment.

Plaintiff alleges that CLICNY, as the provider of Plaintiff's long term disability insurance coverage, violated the Employee Retirement Income Security Act ("ERISA") by improperly denying Plaintiff's claim for long term disability benefits.

The correct standard of review to be used by the Court to review CLICNY's determination is the de novo standard, the Court's review should be limited to the contents of CLICNY's administrative record, and CLICNY's decision was correct and supported by substantial evidence, as Plaintiff failed to establish that he was entitled to receive additional

benefits.

In support of this motion for summary judgment, CLICNY attaches a memorandum of law, a Statement of Material Facts Pursuant to Local Rule 56.1, and a declaration from Emily A. Hayes.

CLICNY respectfully requests that judgment be granted in its favor and the relief sought in Plaintiff's complaint, dated October 23, 2007, be denied in its entirety.

Dated: White Plains, New York  
July 25, 2008

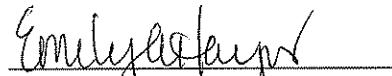
Respectfully submitted,

WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP

By: Emily A. Hayes  
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CERTIFICATE OF SERVICE

I hereby certify that on July 25, 2008, the foregoing Motion for Summary Judgment was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.



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